

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the Federal Register are in parentheses following the decisions being modified.

Volume I

New York

NY960004 (March 15, 1996)
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 WY960021 (March 15, 1996)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, D.C. this 26th day of December 1996.

Philip J. Gloss,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 97-25 Filed 1-2-97; 8:45 am]

BILLING CODE 4510-27-M

Mine Safety and Health Administration

Petitions for Modification

This notice amends a petition document listed below to include the mandatory safety standard. This document was published in the Federal Register on December 4, 1996 (61 FR 64374). The standard was inadvertently left out of the previous notice.

Mountain Coal Company (Correction)

[Docket No. M-96-104-C]

Mountain Coal Company, P.O. Box 591, Somerset, Colorado 81434 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its West Elk Mine (I.D. No. 05-03672) located in Gunnison County, Colorado. The petitioner proposes to use 1,100 feet of 2/0, type SHD-GC cable on continuous miners, 1,000 feet of #2, type GC cable on roof bolters, and 1,000 feet of #2, type SHD-GC cable on auxiliary face fans. The petitioner states that the maximum circuit breaker instantaneous settings for the cables would be 1,500 amperes, 800 amperes and 800 amperes respectively. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

The following parties have filed the petitions listed below to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Minton Hickory Coal Company

[Docket No. M-96-143-C]

Minton Hickory Coal Company, P.O. Box 1733, Corbin, Kentucky 40702 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(i) (escapeways; bituminous and lignite mines) to its Mine No. 9 (I.D. No. 15-17691) located in Knox County, Kentucky. The petitioner proposes to install two five pound or one ten pound portable fire extinguisher in the operator deck of each Mescher Tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; and to have the equipment operator inspect each fire extinguisher daily prior to entering the escapeway. The petitioner asserts that this petition is based on the safety of the miners involved at the mine.

2. Minton Hickory Coal Company

[Docket No. M-96-144-C]

Minton Hickory Coal Company, P.O. Box 1733, Corbin, Kentucky 40702 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Mine No. 9 (I.D. No. 15-17691) located in Knox County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitors on three-wheel tractors with drag bottom buckets. The petitioner asserts that this petition is based on the safety of the miners involved at the mine.

3. F-M Coal Company

[Docket No. M-96-145-C]

F-M Coal Company, P.O. Box 1733, Corbin, Kentucky 40702 has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Mine No. 2 (I.D. No. 15-17812) located in Knox County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitors on three-wheel tractors with drag bottom buckets. The petitioner asserts that this petition is based on the safety of the miners involved at the mine.

4. F-M Coal Company

[Docket No. M-96-146-C]

F-M Coal Company, P.O. Box 1733, Corbin, Kentucky 40702 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(i) (escapeways; bituminous and lignite mines) to its Mine No. 2 (I.D. No. 15-17812) located in Knox County, Kentucky. The petitioner proposes to install two five pound or one ten pound portable fire extinguisher in the operator deck of each Mescher Tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; and to have the equipment operator inspect each fire extinguisher daily prior to entering the escapeway. The petitioner asserts that this petition is based on the safety of the miners involved at the mine.

5. Old Ben Coal Company

[Docket No. M-96-147-C]

Old Ben Coal Company, P.O. Box 456, Coulterville, Illinois 62237 has filed a petition to modify the application of 30 CFR 75.900 (low- and medium-voltage circuits serving three-phase alternating current equipment; circuit breakers) to its Ziegler No. 11 Mine (I.D. No. 11-02408) located in Randolph County, Illinois. The petitioner proposes to use contactors capable of dropping out at 40-60 percent the voltage loss on belt starting equipment in the Mine's New Main East and New Main South Development areas instead of using undervoltage release breakers for undervoltage protection. The petitioner has outlined in the petition specific procedures to be followed when implementing its proposed alternative method. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

6. Jim Walter Resources, Inc.

[Docket No. M-96-148-C]

Jim Walter Resources, Inc., P.O. Box 133, Brookwood, Alabama 35444 has filed a petition to modify the application of 30 CFR 75.1002 (location of trolley wires, trolley feeder wires, high-voltage cables and transformers) to its No. 7 Mine (I.D. No. 01-01401) located in Tuscaloosa County, Alabama. The petitioner requests that Paragraph 9 of the Proposed Decision and Order for granted petition, Docket No. M-85-09-C, be amended as follows: The high-voltage circuit from the longwall power center to the longwall controller shall be provided with short circuit protection set at not more than 2,500 amperes or the value of current indicated in the longwall approval plan. A time delay of not more than 0.25 second shall be permitted for coordination with downstream short-circuit protection devices or the time delay specified in the Longwall Approval Plan. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

7. Eighty-Four Mining Company

[Docket No. M-96-149-C]

Eighty-Four Mining Company, P.O. Box 729, Indiana, Pennsylvania 15701 has filed a petition to modify the application of 30 CFR 75.507 (power connection points) to its Mine No. 84 (I.D. No. 36-00958) located in Washington County, Pennsylvania. The petitioner proposes to use non-permissible submersible pumps to dewater a sump in which it is installed. The petitioner states that the pumps would be operated on a 480-volt three-phase alternating-current electrical power circuit with power supplied from a resistor grounded wye transformer and protected with a line power ground fault, pilot combination unit. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

8. Eighty-Four Mining Company

[Docket No. M-96-150-C]

Eighty-Four Mining Company, P.O. Box 729, Indiana, Pennsylvania 15701 has filed a petition to modify the application of 30 CFR 75.512 (electrical equipment) to its Mine No. 84 (I.D. No. 36-00958) located in Washington County, Pennsylvania. The petitioner proposes to use non-permissible submersible pumps to dewater a sump in which it is installed. The petitioner states that the pumps would be operated on a 480-volt three-phase alternating-

current electrical power circuit with power supplied from resistor grounded wye transformer and protected with a line power ground fault, pilot combination unit. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

9. Costain Coal, Inc.

[Docket No. M-96-151-C]

Costain Coal, Inc., P.O. Box 448, Clay, Kentucky 42404 has filed a petition to modify the application of 30 CFR 75.312(d) (main mine fan and examinations and records) to its Wheatcroft Mine (I.D. No. 15-13920) and its Baker Mine (I.D. No. 15-14492) both located in Webster County, Kentucky. The petitioner proposes to test the automatic closing doors every thirty-one (31) days by de-energizing the operating fan along with simultaneously starting the idle fan and then observe the previously operating fan for proper operation as the previously idle fan powers up and maintains ventilation without materially affecting the system. The petitioner states that both fans would be set up with the same blade setting and a visual indicator that shows when the anti-reversal doors are open or closed; and that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

10. Road Fork Development Company

[Docket No. M-96-152-C]

Road Fork Development Company, P.O. Box 565, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Calloway Mine (I.D. No. 15-17252); its Pegs Branch Mine (I.D. No. 15-17541); its Burnwell Energy Mine (I.D. No. 15-16599); and its Extra Energy Mine (I.D. No. 15-15386) all located in Pike County, Kentucky. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of

protection as would the mandatory standard.

11. Boone Resources, Inc.

[Docket No. M-96-153-C]

Boone Resources, Inc., 1051 Oak Mountain Drive, Pelham, Alabama 35124 has filed a petition to modify the application of 30 CFR 75.350 (air courses and belt haulage entries) to its Boone No. 1 Mine (I.D. No. 01-02908) located in Shelby County, Alabama. The petitioner requests a modification of the standard to permit the use of belt air to provide ventilation for the sections and possibly a longwall system in the future. The petitioner proposes to install a carbon monoxide monitoring system as an early warning fire detection system in all belt entries used as intake aircourses. The petitioner asserts that the terms and conditions in this petition would ensure that the high level of safety standards that Boone No. 1 has provided to its workforce in the past will be maintained.

12. Costain Coal, Inc.

[Docket No. M-96-154-C]

Costain Coal, Inc., P.O. Box 448, Clay, Kentucky 42404 has filed a petition to modify the application of 30 CFR 75.364(b)(4) (weekly examinations) to its Smith Underground No. 1 Mine (I.D. No. 15-16020) located in Webster County, Kentucky. Due to a roof fall, one of the seals in the 1st South seals off the South Main of the mine cannot be examined safely. The petitioner proposes to continuously monitor the air passing by the seals to determine the levels of methane, carbon monoxide, and oxygen. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

13. Road Fork Development Company

[Docket No. M-96-155-C]

Road Fork Development Company, P.O. Box 565, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.901 (protection of low- and medium-voltage three-phase circuits used underground) to its Calloway Mine (I.D. No. 15-17252); its Pegs Branch Mine (I.D. No. 15-17541); its Burnwell Energy Mine (I.D. No. 15-16599); and its Extra Energy Mine (I.D. No. 15-15386) all located in Pike County, Kentucky. The petitioner proposes to use a diesel generator to power mobile equipment in and out of the mines. The petitioner has outlined in this petition specific changes and adjustments that would be made to the generator set to ensure that the proposed

alternative method would provide at least the same measure of protection as would the mandatory standard.

14. Rawl Sales and Processing Company

[Docket No. M-96-156-C]

Rawl Sales and Processing Company, P.O. Box 722, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.901(a) (protection for low- and medium-voltage three-phase circuits used underground) to its Tall Timber Mine (I.D. No. 15-13720) located in Pike County, Kentucky. The petitioner proposes to use a diesel generator to power mobile equipment in and out of the mine. The petitioner has outlined in this petition specific changes and adjustments that would be made to the generator set to ensure that the proposed alternative method would provide at least the same measure of protection as the mandatory standard.

15. Crystal Fuels Company

[Docket No. M-96-157-C]

Crystal Fuels Company, P.O. Box 269, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Mine No. 1 (I.D. No. 46-03408) located in Mingo County, West Virginia. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

16. Vantage Mining Company

[Docket No. M-96-158-C]

Vantage Mining Company, P.O. Box 780, Matewan, West Virginia has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Mine No. 1 (I.D. No. 46-01939) located in Wayne County, West Virginia. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult

removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

17. Rawl Sales and Processing Company

[Docket No. M-96-159-C]

Rawl Sales Processing Company, P.O. Box 722, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Tall Timber Mine (I.D. No. 15-13720) located in Pike County, Kentucky. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

18. Sycamore Fuels, Inc.

[Docket No. M-96-160-C]

Sycamore Fuels, Inc., P.O. Box 703, Matewan, West Virginia 25678 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Mine No. 1 (I.D. No. 46-01756) located in Mingo County, West Virginia. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

19. Rawl Sales and Processing Company

[Docket No. M-96-161-C]

Rawl Sales and Processing Company, P.O. Box 722, Matewan, West Virginia

25678 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Rocky Hollow Mine (I.D. No. 46-05195) located in Mingo County, West Virginia. The petitioner proposes to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

20. Cyprus Shoshone Coal Corporation

[Docket No. M-96-162-C]

Cyprus Shoshone Coal Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219 has filed a petition to modify the application of 30 CFR 75.362(d)(2) (on-shift examination) to its Shoshone No. 1 Mine (I.D. No. 48-01186) located in Carbon County, Wyoming. The petitioner proposes to use an extendable 20-foot probe to take methane tests. The petitioner has outlined in this petition specific procedures to be followed when using its alternative method. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

21. Cyprus Plateau Mining Corporation

[Docket No. M-96-163-C]

Cyprus Plateau Mining Corporation, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219 has filed a petition to modify the application of 30 CFR 75.362 (on-shift examination) to its Star Point No. 2 Mine (I.D. No. 42-00171) located in Carbon County, Utah. The petitioner proposes to use an extendable 20-foot probe to take methane tests. The petitioner has outlined in this petition specific procedures to be followed when using its alternative method. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

22. Twentymile Coal Company

[Docket No. M-96-164-C]

Twentymile Coal Company, One Oxford Centre, 301 Grant Street, 20th Floor, Pittsburgh, Pennsylvania 15219 has filed a petition to modify the application of 30 CFR 75.362(d)(2) (on-shift examination) to its Foidel Creek Mine (I.D. No. 05-03836) located in Routt County, Colorado. The petitioner proposes to use an extendable 20-foot probe to take methane tests. The petitioner has outlined in this petition specific procedures to be followed when using its alternative method. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

23. Bar-K, Inc.

[Docket No. M-96-165-C]

Bar-K, Inc., P.O. Box 8, Madison, West Virginia 25130 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Camp Creek No. 1 Mine (I.D. No. 46-08523), and its Sugar Tree No. 1 Mine (I.D. No. 46-08573) both located in Boone County, West Virginia. The petitioner proposes to use a threaded ring and a spring loaded device on battery plug connectors on mobile battery-powered machines used in by the last open cross-cut to prevent the plug connector from accidentally disengaging while under load instead of using a padlock. The petitioner states that application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before February 3, 1997. Copies of these petitions are available for inspection at that address.

Dated: December 20, 1996.

Patricia W. Silvey,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 97-69 Filed 1-2-97; 8:45 am]

BILLING CODE 4510-43-P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Issued Under the Antarctic Conservation Act of 1978, Public Law 95-541

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978.

FOR FURTHER INFORMATION CONTACT:

Nadene Kennedy or Robert S. Cunningham, Permit Office, Office of Polar Programs, National Science Foundation, 4201 Wilson Blvd., Rm 755, Arlington, VA 22230, telephone: (703) 306-1033.

SUPPLEMENTARY INFORMATION: On November 20, 1996, the National Science Foundation published a notice in the Federal Register of waste management permit applications received from Quark Expeditions for the operation of field support incidental to shipboard tour operations in Antarctica and for operation of a small research camp at Cape Shirreff, Livingston Island, Antarctica by Dr. Rennie S. Holt. The waste management permits authorize activities as described in permit applications on file at the Office of Polar Programs. These files may be viewed during normal business hours. The effective date of each waste management permit is December 27, 1996 to April 30, 2001.

Robert S. Cunningham,

Environmental Compliance Manager, Office of Polar Programs, National Science Foundation.

[FR Doc. 97-28 Filed 1-2-97; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for Small Business Industrial Innovation; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Small Business Industrial Innovation (SBIR)-(61).

Date and Time: January 22-23, 1997, 8:00 a.m.-5:00 p.m.

Type of Meeting: Open.

Place: Room 1235, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Contact Person: Cheryl Albus, SBIR Program Coordinator, (703) 306-1390, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Minutes: May be obtained from the contact person listed above.

Purpose of Committee: To provide advice and recommendations concerning research programs pertaining to the small business community.

Agenda

January 22, 1997, Room 1235

8:00 a.m. to 8:30 a.m.—Welcome and Introductions

8:30 a.m. to 12:00 noon—Review and Discussion of Programs

•SBIR Phase I

•SBIR Phase II

•STTR Phase I/II

12:00 noon to 1:30 p.m.—Lunch

1:30 p.m. to 3:30 p.m.—Discussion of Program Issues

3:30 p.m. to 3:45 p.m.—Break

3:45 p.m. to 5:00 p.m.—Further Discussions

5:00—Adjourn

January 23, 1996—Room 1235

8:00 a.m. to 10:00 a.m.—Preparation of Committee Report

10:00 a.m. to 10:30 a.m.—Break

10:30 a.m. to 12:30 p.m.—Feedback from Committee

12:30 p.m.—Adjourn

Dated: December 30, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 97-27 Filed 1-2-97; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-245]

Northeast Nuclear Energy Company, Millstone Nuclear Power Station, Unit 1; Issuance of Partial Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Acting Director, Office of Nuclear Reactor Regulation, has issued a Partial Director's Decision with regard to a Petition dated August 21, 1995, and supplemented on August 28, 1995, submitted by Mr. George Galatis and We the People, Inc. (the Petitioners), requesting action under 10 CFR 2.206. The Petition pertains to Millstone Nuclear Power Station, Unit 1, operated by Northeast Nuclear Energy Company (Licensee).

The Petitioners requested that the NRC (1) suspend the license for the Millstone Unit 1 facility for a period of 60 days after the unit is brought into compliance with the license and the design basis; (2) revoke the operating license until the facility is in full compliance with the terms and

conditions of its license; (3) perform a detailed independent analysis of the offsite dose consequences of the total loss of spent fuel pool water; and (4) take enforcement action pursuant to 10 CFR 50.5 and 50.9. As bases for their requests, the Petitioners raised the following three issues: (1) The Licensee has knowingly, willingly, and flagrantly operated Millstone Unit 1 in violation of License Amendments Nos. 39 and 40; (2) License Amendments Nos. 39 and 40 for Millstone Unit 1 are based on material false statements made by the Licensee in documents submitted to the NRC; and (3) the license amendment proposed in a letter dated July 28, 1995, should be denied and the Licensee should be required to operate in full conformance with License Amendment No. 40. Issue 3 was determined to be a request for a licensing action and so was beyond the scope of 10 CFR 2.206.

The Acting Director of the Office of Nuclear Reactor Regulation has partially granted Requests 1, 2, and 3 of the Petition. The reasons for this decision are explained in the "Partial Director's Decision Pursuant to 10 CFR 2.206" (DD-96-23), the complete text of which follows this notice. With regard to Petitioner's Request 4, the NRC staff activities are not yet complete. A Final Director's Decision will be issued upon completion of NRC activities in this area.

A copy of this Partial Director's Decision will be available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, D.C., and at the local public document room located at the Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, Connecticut, and at the temporary local public document room located at the Waterford Library, ATTN: Vince Juliano, 49 Rope Ferry Road, Waterford, Connecticut.

A copy of this Partial Director's Decision has been filed with the Secretary of the Commission for review in accordance with 10 CFR 2.206(c) of the Commission's regulations. This Decision will become the final action of the Commission (for Petitioners' requests dispositioned in this Partial Director's Decision) 25 days after the date of issuance unless the Commission, on its own motion, institutes review of the Decision within that time.

Dated at Rockville, Maryland, this 26th day of December 1996.